



General Assembly

February Session, 2000

***Raised Bill No. 615***

LCO No. 2604

Referred to Committee on Finance, Revenue and Bonding

Introduced by:  
(FIN)

***An Act Extending The Time For Filing For Various Tax Credits.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Notwithstanding the provisions of subparagraph (c) of  
2       subdivision (60) of section 12-81 of the general statutes, any person  
3       otherwise eligible for an exemption, relating to a manufacturing  
4       facility in a distressed municipality having a population of not less  
5       than one hundred thousand persons, pursuant to subparagraph (a) of  
6       said subdivision for grand list years 1995, 1996 and 1997, except that  
7       such person failed to make application within the time specified in  
8       said subparagraph (c), may submit an application for exemption not  
9       later than thirty days after the effective date of this act. The application  
10      shall be accompanied by the fee required by section 12-81k of the  
11      general statutes. Upon receipt of the application and fee and  
12      verification of payment of such taxes, the municipality may reimburse  
13      such person in an amount equal to the amount by which such taxes  
14      exceed the taxes payable if the application had been filed in a timely  
15      manner and notwithstanding the time for filing with the Secretary of  
16      the Office of Policy and Management specified in section 32-9s of the  
17      general statutes, shall be eligible for payment pursuant to said section

18 32-9s.

19       Sec. 2. Notwithstanding any provisions of the general statutes and  
20 the untimely receipt of the application of a taxpayer who is a  
21 corporation organized under the laws of the state of Delaware, for the  
22 issuance of an eligibility certificate for its manufacturing facility under  
23 section 32-9r of the general statutes, who relied in good faith on an  
24 eligibility certificate erroneously issued by a municipality on or before  
25 December 31, 1990, such taxpayer shall be allowed a credit against the  
26 corporation business tax for its income years commencing on or after  
27 April 1, 1990, but prior to April 1, 2000, under the provisions of section  
28 12-217e of the general statutes, as in effect during the income year  
29 commencing on April 1, 1990. Any tax assessed or any interest  
30 previously charged to any such taxpayer by the Commissioner of  
31 Revenue Services for such years, which tax and interest are attributable  
32 to such credit, shall be cancelled.

33       Sec. 3. Notwithstanding the provision of section 12-81k of the  
34 general statutes, any person in the city of Meriden for whom an  
35 eligibility certificate has been issued by the Department of Economic  
36 and Community Development, otherwise eligible for an exemption  
37 relating to new machinery and equipment pursuant to subparagraph  
38 (a) of subdivision (72) of section 12-81 of the general statutes for  
39 assessment years 1994, 1995, 1996, 1997 and 1998 who has failed to  
40 make application within the time specified for such exemption may  
41 submit an application for exemption not later than 30 days after the  
42 effective date of this act. Upon receipt of the application and fee and  
43 verification of payment of such taxes, the municipality may reimburse  
44 such person in an amount equal to the amount by which such taxes  
45 exceed the taxes payable if the application has been filed in a timely  
46 manner and notwithstanding the time for filing with the Secretary of  
47 the Office of the Policy and Management specified in section 12-94b of  
48 the general statutes, whichever is applicable shall be eligible for  
49 payment pursuant to said section 12-94b.

50       Sec. 4. Notwithstanding the provisions of section (c) subdivision (60)  
51       of section 12-81 of the general statutes, any person otherwise eligible  
52       for an exemption, relating to machinery and equipment in a distressed  
53       municipality for which an eligibility certificate has been issued by the  
54       Department of Economic and Community Development pursuant to  
55       subparagraph (a) of said subdivision for assessment years 1994, 1995,  
56       1996, 1997 and 1998, except that such person failed to make application  
57       within the time specified in said subparagraph (c), may submit an  
58       application for exemption not later than thirty days after the effective  
59       date of this act. The application shall be accompanied by the fee  
60       required by §12-81k of the general statutes. Upon receipt of the  
61       application and fee and verification of payment of such taxes, the  
62       municipality may reimburse such person in an amount equal to the  
63       amount by which such taxes exceed the taxes payable if the application  
64       had been filed in a timely manner and notwithstanding the time for  
65       filing with the Secretary of the Office of Policy and Management  
66       specified in section 32-9s of the general statutes, shall be eligible for  
67       payment pursuant to said section 32-9s.

68       Sec. 5. (a) There shall be a personal property tax credit for any  
69       company located in this state which acquired, whether by purchase,  
70       lease purchase, or lease agreement, machinery and equipment used in  
71       manufacturing and machinery and equipment used in the  
72       biotechnology industry, and such machinery and equipment was  
73       assessed at two million one hundred eighty-seven thousand three  
74       hundred sixty-one dollars and five million seven thousand twelve  
75       dollars for the assessment years 1997 and 1998, respectively; and said  
76       company paid personal property taxes for such machinery and  
77       equipment in the amount of seventy-six thousand six hundred forty-  
78       five dollars and fourteen cents and one hundred seventy-four  
79       thousand nine hundred ninety-five dollars and fourteen cents for  
80       assessment years 1997 and 1998, respectively. The tax credit (1) shall be  
81       available for a period of five years from the effective date of this  
82       section; (2) shall be in an amount equal to twenty per cent of the  
83       aggregate amount of the personal property taxes paid for machinery

84 and equipment used in manufacturing and machinery and equipment  
85 used in the biotechnology industry for the grand list years 1997 and  
86 1998; and (3) shall be a credit against the amount of personal property  
87 taxes due and payable for the assessment years 1999, 2000, 2001, 2002  
88 and 2003.

89 (b) Any municipality affected by subsection (a) of this section shall  
90 apply to the Office of Policy and Management for a state payment in  
91 lieu of the revenue which would have been received except for the  
92 provisions of said subsection (a). Such application and payment shall  
93 be in accordance with the provisions of section 12-94b of the general  
94 statutes.

95 Sec. 6. Any taxpayer who was eligible for a refund of taxes under  
96 section 12-459 of the general statutes for fuel used during calendar year  
97 1998 but who failed to make a claim for refund under said section 12-  
98 459 within the statutory claim period, may make such claim as set  
99 forth in said section 12-459 not later than ninety days after the effective  
100 date of this act. The Commissioner of Revenue Services shall accept  
101 such claim as if it were received within the statutory claim period and  
102 shall proceed to make a determination on such claim as provided  
103 under said section 12-459.

104 Sec. 7. This act shall take effect from its passage.

***Statement of Purpose:***

To provide for an opportunity for certain taxpayers to avail themselves  
of tax credits for which they were eligible but for which application  
was not timely made.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline,  
except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is  
not underlined.]*